

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PAUL KYLE CRESPIN,

Plaintiff,

v.

Civ. No. 22-811 KG/KK

BOARD OF COMMISSIONERS OF THE
COUNTY OF BERNALILLO,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION**

This matter is before the Court on Magistrate Judge Kirtan Khalsa's August 9, 2024 Proposed Findings And Recommended Disposition ("PFRD"). Doc. 27. In that PFRD, Judge Khalsa recommends that the Court grant in part and deny in part Defendant the Board of County Commissioners for the County of Bernalillo's Motion to Dismiss and that Plaintiff's claims be dismissed without prejudice. The parties have not filed any objections to the PFRD, thereby waiving their right to review of the proposed disposition. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Furthermore, upon review of the PFRD, the Court concurs with Judge Khalsa's findings and recommendation.

IT IS THEREFORE ORDERED THAT:

1. The Court ADOPTS Judge Khalsa's Proposed Findings and Recommended Disposition (Doc. 27);
2. Defendant's Motion to Dismiss (Doc. 18) is GRANTED IN PART and DENIED IN PART. Specifically, Defendant's request for dismissal of the claims asserted in Plaintiff's third amended Civil Rights Complaint [Under] 42 U.S.C. § 1983 (Doc. 12) and Addendum (Doc. 14) is GRANTED, but Defendant's request that the dismissal be

with prejudice is DENIED.

3. The claims asserted in Plaintiff's third amended Civil Rights Complaint and Addendum are DISMISSED WITHOUT PREJUDICE.
4. Plaintiff may file a motion for leave to amend his pleadings within thirty days of dismissal, and he must attach a copy of his proposed amended complaint thereto.

SO ORDERED.



UNITED STATES DISTRICT JUDGE